

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re RICHARD BELL,

No. C 10-04885 SBA (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

On October 28, 2010, Petitioner, a prisoner of the State of California, filed a document with the Court in the instant case, which was opened as a habeas corpus action. On the same day the action was filed the Clerk of the Court sent a notice to Petitioner informing him that his action could not go forward until he filed with the Court a 28 U.S.C. § 2254 habeas petition form, completed in full, within thirty days or his action would be dismissed. He was also sent another notice directing him to either pay the filing fee or file a completed prisoner's in forma pauperis application. The Clerk of the Court sent Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed.

In an Order dated January 25, 2011, the Court granted Petitioner an extension of time to file his petition within sixty days from the date of that Order.

On April 1, 2011, Petitioner filed a motion for appointment of counsel and a request for a second extension of time to file the requisite documents to pursue this action.

On April 20, 2011, the Court granted Petitioner's extension of time to file his petition and his in forma pauperis application within thirty days from the date of that Order. His request for appointment of counsel was denied.

More than thirty days have passed, and Petitioner has not filed the requisite documents or otherwise communicated with the Court. Accordingly, this action is DISMISSED WITHOUT PREJUDICE. Because the Court has already provided Petitioner with an opportunity to correct the deficiencies in his initial filing, the Court does not grant any further leave to amend.

1 The Court has rendered its final decision on this matter; therefore, this Order TERMINATES  
2 Plaintiff's case.

3 IT IS SO ORDERED.

4 DATED: 7/15/11

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4  
5

6 RICHARD BELL,

Case Number: CV10-04885 SBA

7 Plaintiff,

**CERTIFICATE OF SERVICE**

8 v.

9 / et al,

10 Defendant.  
11 \_\_\_\_\_/

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
13 Court, Northern District of California.

14 That on July 19, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said  
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
17 located in the Clerk's office.

18 Richard Bell J-24297  
19 California Men's Colony East State Prison  
20 P.O. Box 8101  
21 San Luis Obispo, CA 93409-8101

22 Dated: July 19, 2011

23 Richard W. Wieking, Clerk  
24 By: LISA R CLARK, Deputy Clerk  
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